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Circular

R56a

Copyright Registration of Musical Compositions and Sound Recordings

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DEPOSITORY 376

The copyright law lists seven categories of works of authorship that may be protected by the law. Two of these categories are:

- **MUSICAL COMPOSITIONS,** including any accompanying words,
  and
- **SOUND RECORDINGS.**

A **MUSICAL COMPOSITION** is normally registered in Class PA as a work of the performing arts. It consists of music or words created by a composer or lyricist. A musical composition may be fixed (embodied) in a notated copy such as a lead sheet or sheet music, OR, in a phonorecord (tape, cassette tape, cartridge, or disk). In either form the work is classified as a musical composition.

EXAMPLE:

A composer may create a musical work at the piano and either notate or record the work. The manner in which the work is fixed does not affect its classification as a musical composition.

The author of a MUSICAL COMPOSITION is generally the composer, and the lyricist, if any.

A **SOUND RECORDING** is always registered in Class SR. It is a work that results from the fixation of a series of musical, spoken, or other sounds. There are generally two copyrightable elements in a sound recording:

1. The contribution of the performer(s) whose performance is fixed, and,
2. The contribution of the record producer who processes the sounds and fixes them in the final recording.

The author of a SOUND RECORDING is the performer, the record producer, or both.

Copyright in a sound recording protects ONLY against the unauthorized reproduction and revision of the particular sounds in a phonorecord, and the unauthorized distribution of phonorecords embodying them.

Copyright in a sound recording is not the same as, or a substitute for, copyright in the underlying musical composition—an underlying musical composition is copyrightable itself, apart from the recording of its performance.

WHICH APPLICATION FORM TO USE FOR COPYRIGHT REGISTRATION

Use the following chart to help determine which application form to use and how to describe the work created.

How the work was created; what is being registered:	Form to use:	How to describe the authorship in space 2, "Nature of Authorship":	What should be deposited:	
			Published	Unpublished
Composer/author creates a song, wishes to claim copyright in the song	PA	Music and Words	2 complete copies (sheet music, etc.) or phonorecords (usually disks, tapes, cassettes, etc.) of "best edition"	1 complete copy (lead sheet, etc.) or phonorecord (usually disk, tape, cassette, etc.)
Composer/author creates musical composition, wishes to claim copyright in the musical composition	PA	Music	2 complete copies (sheet music, etc.) or phonorecords (usually disks, tapes, cassettes, etc.) of "best edition"	1 complete copy (lead sheet, etc.) or phonorecord (usually disk, tape, cassette, etc.)
Performer(s) (for example, vocalist and band) perform and record musical work; wish to claim copyright in the recorded performance only	SR	Performance and Sound Recording	2 complete phonorecords of "best edition"	1 complete phonorecord
Composer/author/performer creates music and performs it, recording the performance; wishes to claim copyright both in the music and the recording	SR	Music and Performance *OR* Music, Words, Performance	2 complete phonorecords of "best edition"	1 complete phonorecord

best copy available

DO NOT LEAVE SPACE 2 BLANK. DO NOT USE "entire work" to describe "Nature of Authorship."

LC 3.4/2:

NOTE: Phonorecords (tapes, cassette tapes, cartridges, disks) are not sound recordings.

Phonorecords are physical objects in which various kinds of works can be fixed—the works themselves may be musical compositions, literary works, dramatic works, or sound recordings. Before registering a claim to copyright, you must analyze your work to determine which classification of work it is.

REGISTRATION PROCEDURES

To register your work, send the following material **in the same envelope or package** to the Register of Copyrights, Copyright Office, Library of Congress, Washington, D.C. 20559:

1. A properly completed application form;
2. A nonreturnable deposit(s) of the work to be registered; and
3. A nonrefundable filing fee of $10 for each application.

EFFECTIVE DATE OF REGISTRATION

Please note that a *copyright registration is effective on the date of receipt in the Copyright Office of all the required elements in acceptable form*, regardless of the length of time it takes thereafter to process the application and mail the certificate of registration. The length of time required by the Copyright Office to process an application varies from time to time, depending on the amount of material received and the personnel available to handle it.

If you are filing an application for copyright registration in the Copyright Office, you *will not* receive an acknowledgement that your application has been received (the Office receives more than 500,000 applications annually), but you can expect:

- A letter or telephone call from a copyright examiner if further information is needed; and
- A certificate of registration to indicate the work has been registered, or if the application cannot be accepted, a letter explaining why registration has been refused.

You may not receive either of these until 120 days have passed.

If you want to know when the Copyright Office receives your material, you should mail it registered or certified and request a return receipt.

FOR MORE INFORMATION

For more information, write or call the Copyright Office and request: Circular R50, "Copyright Registration for Musical Compositions" (which includes information on Form PA) and/or Circular R56, "Copyright for Sound Recordings" (which includes information on Form SR).

FORMS AND CIRCULARS HOTLINE

NOTE: Requesters may order application forms and circulars at any time by telephoning (202) 287-9100. Orders will be recorded automatically and filled as quickly as possible.

READEX FICHE

Copyright Office • Library of Congress • Washington, D.C. 20559

April 1986—30,000

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